APPENDIX II.

[Vide item III (3) on page 228 supra.]

A Bill further to re-enact certain enactments.

(As passed by the Assembly.)

WHEREAS the Governor of Madras, by a Proclamation made under section 93 of the Government of India Act, 1935, on the 30th day of October 1939, assumed to himself all powers vested by or under that Act in the Provincial Legislature and in either Chamber of the Provincial Legislature, subject to the provisions contained in the Proclamation ; 26 Geo. 5, Ch. 2.

AND WHEREAS in pursuance of those powers, many laws have been enacted ;

AND WHEREAS the said Proclamation was revoked by the Governor on the 30th day of April 1946 ;

AND WHEREAS sub-section (4) of the said section 93 had provided that the laws so enacted should, subject to the terms thereof, continue to have effect until two years elapsed from the date on which the Proclamation ceased to have effect, unless sooner repealed or re-enacted by Act of the appropriate Legislature ;

AND WHEREAS notwithstanding the omission of section 93 from the Government of India Act, 1935, by the India (Provisional Constitution) Order, 1947, the laws aforesaid continue, by virtue of paragraph 6 of the said Order, to have effect as described in the foregoing paragraph ; 26 Geo. 5, Ch. 2.

AND WHEREAS it is expedient to re-enact with suitable modifications four of the laws aforesaid permanently ;

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Madras Re-enacting (No. III) Act, 1948.

(2) It shall come into force on the 29th day of April 1948.

Permanent re-eanctment of Madras Act XIX of 1943.

2. The Madras Local Boards (Second Amendment) Act, 1943, is hereby re-enacted permanently, with the modification specified in section 4. Madras Act XIX of 1943.

Permanent re-enactment of other Acts with modifications.

3. The Acts specified in the Schedule are hereby re-enacted permanently, with the modification specified in section 4 and the further modifications specified in the fourth column of the Schedule.

Modification of preamble to certain Acts.

4. In the preamble to each of the Acts referred to in sections 2 and 3, for the paragraph containing the enacting formula and the paragraph preceding that paragraph, the following words shall be substituted, namely :—

" It is hereby enacted as follows :—"

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5. The re-enactment of any Act by this Act shall not be deemed to affect the operation of any amendment made in the Act so re-enacted or in any enactment amended by that Act, on or after the 30th day of April 1946 and before the commencement of this Act. Re-enactments not to affect operation of certain amending Acts passed before this Act.

THE SCHEDULE.

Acts permanently re-enacted with specified modifications.

(*See* section 3.)

Year. (1)	*Number.* (2)	*Short title.* (3)	*Modifications.* (4)
1942	XXIV	The Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942.	1. Sections 3 to 8 shall be omitted. 2. To section 11, the following Explanation shall be added, namely :— " *Explanation.* — Nothing contained in clause (*a*) shall be deemed to affect in any way the operation of section 3 of the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946." Madras Act XVI of 1946.
1942	XXXVIII	The Madras District Municipalities (Third Amendment) Act, 1942.	1. Section 2 shall be omitted. 2. In section 3, for the words " twenty-five rupees ", the words " fifty rupees " shall be substituted. 3. In section 17, clauses (ii), (iii) and (v)— (i) the word " simultaneously " shall be omitted ; (ii) for the words " at any time ", the words " on any day " shall be substituted.
1946	VII	The Madras District Municipalities and Local Boards (Amendment) Act, 1946.	1. In section 2, for clause (*a*) of new section 61-A of the Madras District Municipalities Act, 1920, the following clause shall be substituted, namely :— " (*a*) for the lighting, watering, scavenging and drainage of such street ;" Madras Act V of 1920. 2. In section 3, for clause (*a*) of new section 60-A of the Madras Local Boards Act, 1920, the following clause shall be substituted, namely :— " (*a*) for the lighting, watering, scavenging and drainage of such road ;" Madras Act XIV of 1920.

Year.	Number.	Short title.	Modifications.
(1)	(2)	(3)	(4)
1946—*cont.*	VII—*cont.*	The Madras District Munici-palities and Local Boards (Amend-ment) Act, 1946—*cont.*	3. For sections 4, 5 and 6, the following section shall be substituted, namely :— [Insertion of new sections 73-C and 73-D in Madras Act XIV of 1920.] "4. After section 73-B of the said Act, the following sections shall be inserted, namely :— [Appointment of District Engineer of Highways Department.] '73-C. Notwithstanding anything contained in this Act, the Provincial Government may appoint the District Engineer of the Highways Department to perform all the functions of the District Engineer or Engineers referred to in section 68, sub-section (1). [District Boards to contribute towards the cost incurred by the Provincial Government on account of salary, allowances, etc., of officers and servants of the Highways Department.] 73-D. Every district board shall pay to the Provincial Government in each year such contribution as they may, by general or special order, determine, towards— (i) the salaries, allowances including leave allowances, pensions and provident funds of District Engineers, Assistant Engineers, Supervisors and other subordinate officers and servants of the Highways Department working in the district; and (ii) the expenses incurred by the officers and servants referred to in clause (i), on account of contingencies and the like '." 4. Sections 7 and 8 shall be renumbered as sections 5 and 6 respectively.